

## State judicial candidates meet voters, share views



Richard Byrd/Columbia Basin Herald

[Dave Larson](#)

Supreme Court Justice candidate Dave Larson speaks with attendees during Thursday night's meet-and-greet in Moses Lake.

Posted: Tuesday, October 11, 2016 9:00 am

By RICHARD BYRD, Staff Writer

MOSES LAKE — People had the chance to meet four candidates who are running for judicial positions in the upcoming general election.

Thursday night's meet-and-greet was hosted by Rep. Matt Manweller, R-Ellensburg. The representative said one of the biggest reasons he organized the event was to educate the public on the views of the candidates, whose decisions, if elected, have an effect on all Washingtonians.

"For the first time in 30 years the three incumbent Supreme Court judges actually have a legitimate challenger. It's been three decades since the people have nominated a candidate to challenge, basically, untested or unchallenged incumbents," Manweller told the crowd gathered at the Porterhouse Steakhouse. "I think that is vibrant for our democracy."

The following candidates attended the event:

State Court of Appeals Division III Position No. 1 candidate Patrick McBurney: McBurney, who is running against Judge George Fearing, has practiced law in the Tri-Cities for over 20 years, representing clients as a public defender, bankruptcy attorney and a family law attorney. His more complex legal cases include DUIs, misdemeanors, bankruptcies, divorces, probates and child support issues.

McBurney said one of the reasons he is running is to bring a conservative voice to the court of appeals.

“A conservative voice is one that is not just judicially conservative, but politically conservative, it is religiously conservative, it is socially conservative,” McBurney remarked. “So I am bringing that particular viewpoint to the court of appeals. Why is that important? Well, there are five members on the court of appeals and those five members all commenced their careers on the court of appeals by either being appointed by Jay Inslee or Christine Gregoire.

“It would be reasonable to assume that the governor who appoints a judge is going to appoint someone who at least shares that governor’s worldview. So I am bringing a different worldview to the court of appeals.”

Supreme Court Justice Position No. 1 candidate David DeWolf: DeWolf, who is running against Justice Mary Yu, recently retired after spending 28 years as a professor at Gonzaga University Law School. DeWolf is a leading constitutional scholar and an authority in contract and tort (liability) law. His books on tort and contract law have been cited over 100 times in state appellate cases.

The retired professor said the Supreme Court's McCleary decision was the big driving point behind his decision to run. The McCleary decision, which stemmed from McCleary v. the State of Washington, declared the state was failing to meet its constitutional responsibility to fund K-12 education fully. The court ordered the legislature to produce a funding plan in order to meet the funding obligation. The justices noted how past efforts by judges to set successful education policies have failed and the legislature, not the courts, is in the best position to meet educational needs, according to the Washington Policy Center. DeWolf said the decision demonstrates the court’s lack of control.

“This case started in 2007 and it’s still going on. They are planning on being there in 2018 to force the legislature to provide more money than our state representatives want to force us to pay for,” DeWolf told the crowd. “And it’s a fundamental principle in our government that it’s by the consent of the governed. We are in danger of losing that principal if the court gets to tell us how much money we are going to spend and essentially forces us to come up with taxes to pay for that.”

Supreme Court Justice Position No. 6 candidate Dave Larson: Larson, who is running against Justice Charles Wiggins, worked for 23 years as an attorney, arguing cases in state and federal courts, prior to taking the bench on the Federal Way Municipal Court.

Larson said one of his goals, if elected, is to make the judiciary the most “boring and dependable” branch of government.

“It’s the branch of government that should constantly be trying to put itself out of business. I don’t know of any people who when they think of life, liberty and the pursuit

of happiness they want to go to court. Nobody wants to do that,” Larson said with a slight chuckle. “The idea is to have our society and our communities and everything healthy. And have our court be trivial to that.”

Supreme Court Justice Position No. 5 candidate Greg Zempel: Zempel, who is running against Chief Justice Barbara Madsen, has served as Kittitas County Prosecutor for 22 years. Zempel was elected as prosecutor in 1994 at the age of 32, which made him one of the youngest prosecutors in the state at the time. He has since been re-elected five times to the position.

Zempel believes it is time for the Supreme Court to have a justice that is focused on victims and the court as it sits today has become far too political.

“My focus has been on victims (as a prosecutor) and it has been on communities. And it has been on doing the best that we can do for those who need the assistance of our communities. And I don’t say that lightly, because at the end of the day what is the function of government but to help the citizens, to provide those things that the citizens can’t provide; public help, safety and welfare,” Zempel stated. “This court is too political. It is too unpredictable. It is time for a change to return common sense to this court. It’s time for change to elevate our status as citizens back to its proper role.”

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